

Remarks

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

In response to item 1 of the Office Action, FIG. 3 has been amended in order to correct a minor informality. Specifically, the telephone number in column 4 (sender field 308), row 2 (message ID 1) has been changed from "(124) 456-7890" to --(123) 456-7890--. Proposed drawing amendments are submitted with this amendment. These drawing amendments are editorial in nature and do not add new matter to the application.

Claims 1, 4, 25, 27-28, and 30-37 have been canceled without prejudice. Claims 2, 5-11, 14, 15, 17-24, 26, 29, 38-40 have been amended, and claims 41-49 have been added. Consequently, claims 2, 3, 5-24, 26, 29 and 38-49 are currently pending and under consideration.

In item 2 of the Office Action, claims 5 and 20 were objected to due to a number of informalities. Claims 5 and 20 have been amended in order to correct the cited informalities.

To provide some background for the discussion below, the present invention concerns a unified messaging system in which multiple messages can be administered with a telephone over a public switched telephone network. Unified messaging systems are used to store different types of messages, such as emails, voicemails and faxes, in one location. Subscribers to the unified messaging system can conveniently retrieve their email, voicemail, and fax messages by using a telephone, a computer, or

a facsimile machine. One problem created by this convenience of having the messages stored in one location is that the inbox of a subscriber can become quickly inundated with a large number of duplicate or unsolicited messages. This problem is especially of concern when the subscriber is away from the office. In this situation, the subscriber typically does not have access to a computer and must use a telephone to retrieve the messages. When the subscriber has a large number of messages, the subscriber can be quickly frustrated by having to individually listen to and delete each message with the telephone.

The present invention solves the above-discussed problems by giving the subscriber the ability to delete multiple messages at the same time with a telephone. For example, in one embodiment of the present invention, a subscriber listens to messages stored in the unified messaging system with a telephone. After hearing the message on the telephone, the subscriber can delete multiple messages based on a common trait shared between the multiple messages, such as the subject or sender of the messages. Traits of the message can include the type of message, such as a fax, email, voice mail, page, etc.; the date/time when the message was received; the sender of the message; the recipient(s) of the message; the subject of the message; particular words contained in the message; or any combination of these.

As depicted in the flow chart (200) of FIG. 2 in the present application, initially, when the subscriber listens to the first message no traits are flagged in the database (124). When the message does not contain any of the flagged traits (stage 206), the message is played on the subscriber's telephone (102). After the message is

played, the subscriber can delete the single message or command the unified messaging system (120) to delete all messages having the same selected trait(s) as the played message. In stage 210, when the unified messaging system (120) receives a command instructing the system (120) to delete messages containing a trait or traits similar to the previously played message, the trait is stored in the database (124). The unified messaging system (120) deletes the current message in stage 214 and retrieves the next message from the email server (130) in stage 202. Using the Table 1 touch tone interface as an example, if the played message is from "John Smith" and the subscriber selects to delete all messages from the same sender by pressing the "7" and "2" keys on the telephone (102), then all messages from "John Smith" will be deleted from the inbox of the subscriber. When the next message is retrieved in stage 202, if the retrieved message in stage 204 contains the flagged trait (e.g., sender is "John Smith"), then the current message is deleted in stage 214 and the message is not played. The system (120) then in stage 202 retrieves the next message, and this process continues until all the messages have been reviewed. As noted on page 14 of the present application, the above-described deletion technique provides a simple interface between the unified messaging system (120) and the email server (130), and the ability to delete messages does not depend on the capabilities of the email server (130).

In item 3, now independent claim 2 was rejected "as being anticipated by Bobo II US 5,870,549" (hereinafter, "'549 patent"). It is well settled law that a claim is anticipated only if each and every element as set forth in the claim is found, either

expressly or inherently described, in a single prior art reference in as complete detail as is contained in the claim. The '549 patent fails in many respects in this regard. For example, the '549 patent fails to disclose or suggest "receiving a command from the telephone over the public switched telephone network to administer multiple messages stored in the database having a common trait" and "deleting the multiple messages from the database in response to the command" (emphasis added).

The '549 patent concerns a message storage and delivery system (MSDS) 10 that is capable of detecting the type of message, such as facsimile, voice or data transmission, and of storing the message in a hypertext mark-up language (HTML) file in a database. As described beginning at column 14 of the '549 patent, the MSDS 10 is be able to determine the type of message that is being sent over DID trunk 15. Based on the type of message received, the MSDS 10 is able to convert the message to the appropriate file type for use in a HTML file. As shown in FIG. 1 of the '549 patent, a computer 32 is connected to the MSDS 10 over the Internet 30. With a hypertext browser on the computer 32, a user may access his or her MSDS 10 mailbox. As described in column 9 of the '549 patent, the user can view on the computer 32 a general information HTML file that includes a number of links or "anchors", which indicate the total number of different messages. For example, when the user selects the link for the facsimile list, the MSDS 10 pulls up and displays a file containing a list of facsimiles, such as "faxlist.html". By selecting the desired link, the user is able to view an HTML file that contains an image file for the desired fax. As described beginning at column 10, line 3, the HTML file can also contain a "Delete"

link so that the user can delete a single message with the computer 32 by clicking the "Delete" link.

Although the '549 patent briefly mentions that a single message can be deleted with the computer 32, nowhere does the '549 patent mention deleting multiple messages that have a common trait with a telephone. In item 3.2 of the Office Action, it was argued that "Bobo teaches deleting the multiple messages from the MSDS 10 (column 13, lines 3-11; column 16, lines 4-11, 39-46)." Contrary to this assertion, column 13 of the '549 patent only speaks as to deleting a single message at a time with an HTML file displayed on a computer 32. It should be noted that the '549 patent uses the singular form "message" when speaking of utilizing the "Delete" link or anchor. Specifically, at column 13, lines 7-9, the '549 states that the "'Delete' anchor is preferably followed by a inquiry as to whether the user is certain that he or she wants to delete the message" (emphasis added). The '549 patent at column 16, lines 4-11 and 39-46 only briefly describes the options that are available under the MSDS' 10 voice response system, and altogether, even fails to mention the ability to delete multiple messages. Since the '549 patent fails to disclose all of the features recited in claim 2, it is submitted that the '549 fails to anticipate claim 2. For this and other reasons it is submitted that claim 2 and its dependent claims are allowable over the references of record.

Further, in item 3 of the Office Action, claim 26 was rejected as being anticipated by the '549 patent. In traversal, it is submitted that '549 patent fails to disclose each and every feature recited in claim 26. For example, the '549 patent fails

to disclose "means for receiving over a public switched telephone network a command from a telephone corresponding to administer multiple messages having a common trait" and "means for deleting said multiple messages having said common trait in response to said command." To support the basis of the rejection, it was purported in item 3.18 of the Office Action that "Bobo teaches deleting the multiple messages from the MSDS 10 (column 13, lines 3-11; column 14, lines 39-46)." As discussed detail above, the '549 patent fails to disclose or even suggest deleting multiple having a common trait with a telephone. Column 14, lines 39-46 of the '549 merely describes that in a technique for converting a message to an HTML format, the HTML file containing the list of messages, "datalist.html", is updated to include a link to the new message file when a new message is received. Like the other cited sections, this section of the '549 patent fails to mention deleting multiple messages through a telephone. For this and other reasons, it is submitted that claim 26 is allowable over the references of record.

In item 3, claim 29 was rejected as being anticipated by the '549 patent. For reasons similar to those given above, it is submitted that the '549 patent fails to disclose every feature recited in claim 29. For example, the '549 patent fails to disclose a " program being further executable to receive from a telephone over a public switched telephone network an input corresponding to a selection of multiple messages for administration that have at least one common trait" and "said program is executable to delete said selected multiple messages from said stored messages in

response to said input." For this and other reasons, it is submitted that claim 29 is allowable over the references of record.

In item 3, claim 38 was rejected as being anticipated by the '549 patent.¹ It should be readily recognized that the '549 patent fails to disclose a number of features recited in claim 38. For instance, the '549 patent fails to disclose "a processor operatively coupled to said database and responsive to an input over a public switched telephone network from a telephone, said input corresponding to an administer multiple messages command of selected multiple messages in the database" and "wherein the administer multiple messages command includes a delete multiple messages command and said processor is configured to delete said selected multiple messages from said database in response to said delete multiple messages command." For this and other reasons, it is submitted that independent claim 38 and its dependent claims are allowable over the references of record.

New independent claim 47 was added in order to provide broader protection for the present invention. It should be readily apparent that the cited references fail to disclose or suggest all of the features recited in claim 47. Therefore, it is submitted that claim 47 and its dependent claims are allowable over the references of record.

It should be understood that the above remarks are not intended to provide an exhaustive basis for patentability or concede the basis for the rejections in the Office

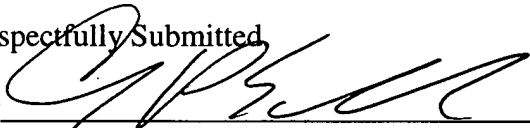
¹ It is believed that the listing of claim "38" in item 4 of the Office Action was a typographical error, and in view of the comments under item 4, that claim "39" should be listed instead.

Action, but are simply provided to overcome the rejections made in the outstanding Office Action in the most expedient fashion.

In view of the above amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance and an early notice of allowance is earnestly solicited. If after reviewing this amendment the Examiner feels that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the applicant's undersigned representative by telephone to resolve such issues.

Respectfully Submitted,

By



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